

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA : INDICTMENT

- V. - : 09 Cr.

CARLOS MEJIA, and :  
JOEL RODRIGUEZ

Defendants.

09 CRIM 259

## COUNT ONE

The Grand Jury charges:

1. From at least on or about January 16, 2009, up through on or about January 22, 2009, in the Southern District of New York and elsewhere, CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, and others known and unknown, would and did distribute, and possess with intent to distribute, a controlled substance, to wit, 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21, United States Code.

Overt Act

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. On or about January 22, 2009, in the vicinity of Close Street in Bronx, New York, CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, retrieved a BMW from a car carrier which they believed to contain approximately 28 kilograms of cocaine.

(Title 21, United States Code, Section 846.)

COUNT TWO

The Grand Jury further charges:

4. On or about January 22, 2009, in the Southern District of New York, CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, unlawfully, intentionally, and knowingly did attempt to distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of a mixture and substance containing a detectable amount of cocaine, to wit, MEJIA and RODRIGUEZ attempted to retrieve approximately 28 kilograms of cocaine purported located in a BMW in Bronx, New York.

(Title 21, United States Code, Section 846)

FORFEITURE ALLEGATION

5. As a result of committing the controlled substance

offense alleged in Counts One and Two of this Information, CARLOS MEJIA and JOEL RODRIGUEZ, the defendants, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information.

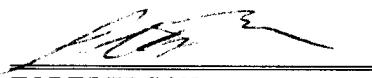
Substitute Asset Provision

6. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant --

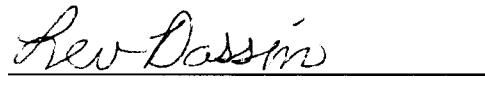
- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841 and 853.)



FOREPERSON



LEV L. DASSIN  
Acting United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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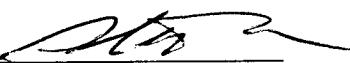
INDICTMENT

09 Cr. \_\_\_\_\_

(Title 21, United States Code,  
Section 846)

LEV L. DASSIN  
Acting United States Attorney.

A TRUE BILL

  
Foreperson.

3/10/09 - Filed Indictment. Case Assigned to  
S/May Judge Laty